

SB2003



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2003

Introduced 2/20/2009, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

225 ILCS 45/1

from Ch. 111 1/2, par. 73.101

Amends the Illinois Funeral or Burial Funds Act. Makes a technical change in a Section concerning payment under a pre-need contract.

LRB096 11398 ASK 21862 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Funeral or Burial Funds Act is
5 amended by changing Section 1 as follows:

6 (225 ILCS 45/1) (from Ch. 111 1/2, par. 73.101)

7 Sec. 1. Payment under pre-need contract. Except as ~~as~~
8 otherwise provided in this Section, all sales proceeds paid to
9 any person, partnership, association or corporation with
10 respect to merchandise or services covered by this Act, upon
11 any agreement or contract, or any series or combination of
12 agreements or contracts, which has for a purpose the furnishing
13 or performance of funeral services, or the furnishing or
14 delivery of any personal property, merchandise, or services of
15 any nature in connection with the final disposition of a dead
16 human body, including, but not limited to, outer burial
17 containers, urns, combination casket-vault units, caskets and
18 clothing, for future use at a time determinable by the death of
19 the person or persons whose body or bodies are to be so
20 disposed of, shall be held to be trust funds, and shall be
21 placed in trust in accordance with Sections 1b and 2, or shall
22 be used to purchase life insurance or annuities in accordance
23 with Section 2a. The person, partnership, association or

1 corporation receiving said payments under a pre-need contract
2 is hereby declared to be a trustee thereof until deposits of
3 funds are made in accordance with Section 1b or 2a of this Act.
4 Persons holding less than \$500,000 in trust funds may continue
5 to act as the trustee after the funds are deposited in
6 accordance with subsection (d) of Section 1b.

7 Nothing in this Act shall be construed to prohibit the
8 inclusion of outer burial containers in sales contracts under
9 the Illinois Pre-Need Cemetery Sales Act.

10 (Source: P.A. 91-7, eff. 1-1-2000.)